



Order Filed on March 15, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Friedman Vartolo LLP  
85 Broad Street- Suite 501  
New York, New York 10004  
bankruptcy@friedmanvartolo.com  
T: (212) 471-5100  
F: (212) 471-5150  
Attorneys for SN Servicing Corporation as servicer  
for U.S. Bank Trust National Association, as Trustee  
of Bungalow Series IV Trust

In Re:

Thomas L. Kenny

Debtor(s)

Case No.: 17-21532

Chapter: 13

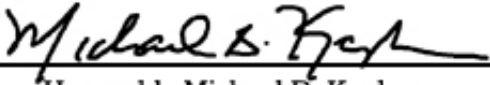
Hearing Date:  
March 24, 2021  
Hon. Chief Judge:  
Michael B. Kaplan

**CORRECTED**

**CONSENT ORDER RESOLVING MOTION TO VACATE STAY**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

**DATED: March 15, 2021**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Applicant: SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of Bungalow Series IV Trust  
Applicant's Counsel: Friedman Vartolo LLP  
Debtor's Counsel: Andrew Thomas Archer  
Property (Collateral): 10 Sunrise Circle, Holmdel, NJ 07733  
Relief Sought:  
• Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 4 months, from November 1, 2020 to February 1, 2021.
- ☐ The Debtor(s) is/are overdue for 4 payments at \$2,681.03 per month.
- ☐ The Debtor(s) is/are due for \_\_\_\_\_ in accrued late charges.
- ☐ The Debtor(s) is/are due for \_\_\_\_\_ in attorney's fees and costs.
- ☒ Applicant acknowledges suspense funds in the amount of \$2,218.50.

Total Arrearages Due: \$8,505.62

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.
- ☒ Beginning on March 1, 2021, regular monthly mortgage payments shall continue to be made.
- ☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \_\_\_\_\_ for \_\_\_\_\_ months.
- ☒ The amount of \$8,505.62 shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 14 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: SN Servicing Corporation  
P.O. Box 660820  
Dallas, TX 75266

4. In the event of default:

☒ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than twenty-one (21) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than twenty-one (21) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$400 and costs of \_\_\_\_\_.

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within \_\_\_\_\_ days  
Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.

/s/ Andrew T. Archer, Esq.  
Andrew Thomas Archer, Esq.  
*Attorney for Debtor*

/s/ Jonathan Schwalb, Esq.  
Jonathan Schwalb, Esq.  
*Attorney for Secured Creditor*